

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA	)	
	)	
v.	)	CASE NO. 2:05-CR-137-F
	)	
GEORGE DAVID SALUM, III	)	
	)	

MOTION FOR WITHDRAWAL OF COUNSEL, APPOINTMENT OF PUBLIC DEFENDER,  
AND CONTINUANCE OF SENTENCING DATE

COMES NOW Defendant GEORGE DAVID SALUM, III, by and through his attorneys of record, and respectfully moves this Court to: (1) permit his attorneys to withdraw as counsel in this matter; (2) appoint a federal public defender, pending retaining of alternate counsel; and (3) continue the sentencing hearing, currently scheduled for February 7, 2006.

1. The defendant was convicted on November 10, 2005, at the conclusion of a jury trial. The sentencing hearing in this matter is currently set for Tuesday, February 7, 2006.

2. The defendant and Counsel have developed such serious differences in strategy, concerning the sentencing hearing, that they can no longer effectively communicate with each other.

3. It is therefore in this defendant's immediate best interests to retain other counsel. He has already notified the undersigned that he is terminating their representation. The defendant requests the appointment of a federal public defender, as he is unsure whether he will be able to retain other counsel, although he is making an effort to do so.

4. Furthermore, because only one week remains in which to obtain new counsel, the defendant respectfully requests a continuance of the sentencing hearing, to permit him to seek and obtain new counsel, and to permit this new counsel adequate time to prepare for said hearing.

5. In light of the foregoing, it would greatly prejudice the defendant to deny this motion, as it would force him to go forward at this critical juncture, represented by counsel with

whom he is in serious disagreement. Further, there can be no great prejudice to the United States in granting this motion.

WHEREFORE, above premises considered, the defendant prays that this Court will:

- (1) Permit his attorneys to withdraw as counsel in this matter;
- (2) Appoint a federal public defender, pending retaining of alternate counsel; and
- (3) Continue the sentencing hearing, currently scheduled for February 7, 2006

RESPECTFULLY SUBMITTED this 30th day of January, 2006.

GEORGE DAVID SALUM, III  
Defendant

/s/ Julian L. McPhillips, Jr.  
JULIAN L. McPHILLIPS, JR.  
Alabama Bar No. MCP004

/s/ Allison H. Highley  
ALLISON H. HIGHLEY  
Washington Bar No. 34145  
Attorneys for Defendant  
McPhillips Shinbaum, LLP  
Post Office Box 64  
Montgomery, Alabama 36101  
(334) 262-1911

CERTIFICATE OF SERVICE

I certify that, on this date, I have served a copy of the foregoing upon the United States by electronic filing, and by mailing an additional courtesy copy of same to:

Dixie A. Morrow  
Assistant United States Attorney  
Northern District of Florida  
21 E. Garden Street, Suite 400  
Pensacola, FL 32502

/s/ Julian L. McPhillips, Jr.  
JULIAN L. McPHILLIPS, JR.  
Attorney for Defendant